

PLAINTIFF(S)

s/ Aaron Mayer
Signature of Plaintiff's Counsel

Aaron Mayer, for Kizzy Estes
*Printed Name of Plaintiff's Counsel
and Party Represented*

s/ J. Edward Bell, III
Signature of Plaintiff's Counsel

J. Edward Bell, III, for Kizzy Estes
*Printed Name of Plaintiff's Counsel
and Party Represented*

DEFENDANT(S)

S/Steven M. Pruitt
Signature of Defendant's Counsel

Steven M. Pruitt, for all Defendants
*Printed Name of Defendant's Counsel
and Party Represented*

MEDIATION OF CASES PENDING BEFORE JUDGE GERGEL

Case Name: **Kizzy Estes v. Consuela Ferguson, et. Al**

C/A No.: **5:17-00834-RMG-KDW**

1. Would early mediation be useful in this case? If the answer is in the affirmative, when would you propose to conduct mediation in this matter?

Response: The parties have conferred and do not believe early mediation would be beneficial.

2. If early mediation is not thought to be useful, when is the earliest stage in which you believe it might be useful?

Response: The parties believe mediation would not be beneficial until there has been an opportunity to conduct and possibly complete discovery.

3. Please provide the court with any additional information that would assist in setting a timeline for required mediation.

Response: The parties have moved to amend the Scheduling Order and believe that mediation would have a better chance of success if it is conducted after the parties have the opportunity to conduct discovery. Furthermore, as discussed in the parties' Motion to Amend the Scheduling Order, there are criminal charges pending against the Plaintiff in relation to the incident alleged in Plaintiff's Complaint. Plaintiff's counsel is representing Plaintiff in relation to the criminal charges and is hopeful these can be dismissed or tried in the near future. The parties would ask that the mediation deadline be placed in January 2018 to allow time for resolution of the criminal charges and the parties to then conduct discovery.

RESPECTFULLY SUBMITTED.

s/Steven M. Pruitt
Steven M. Pruitt, Fed. Id No. 6083
ATTORNEYS FOR THE DEFENDANTS

s/ Aaron Mayer
Aaron Mayer, Esquire
ATTORNEYS FOR THE PLAINTIFF

s/ J. Edward Bell, III
J. Edward Bell, III, Esquire
ATTORNEYS FOR THE PLAINTIFF

May 3, 2017